

R E M A R K S**I. Introduction**

Claims 1-55 are pending in the application. All pending claims stand rejected. In particular, claims 1-55 stand rejected under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 5,884,272 (hereinafter "Walker").

Upon entry of this amendment, which is respectfully requested, claims 48 and 52 will be cancelled without prejudice or disclaimer, and claims 1 and 20 will be amended to more distinctly claim current embodiments. No new matter is believed added by this amendment. Support for all amendments exists in the specification and claims as originally filed, and all such matter has previously been searched by the Examiner.

Applicants respectfully request reconsideration and further examination of the pending claims in view of the arguments presented herein and in accordance with 37 CFR §1.112.

A. Summary of Claimed Embodiments

According to some embodiments, information may be progressively disclosed between users at a rate and in a manner associated with the respective levels of interest expressed by the users. (See, pg. 2, paragraph 2). Interlaced images, for example, may be progressively revealed to the respective users. (See, pages 11-12). In some embodiments, the images (or other information) may be revealed in stages to the respective users when interest is detected from both users. According to some embodiments, if no interest is detected from one of the users, the progressive disclosure may be terminated or paused. (pg. 12).

B. Summary of the Cited Reference

Walker generally describes a system that releases authorized information to parties and allows anonymous communications between parties. (Col. 4, lines 19-26). The release of information by the Walker system may include a "controlled release of identity [and] can be performed gradually in a series of steps where the party authorizes release of more and more information". (Col. 4, lines 60-63). In addition to the release of authorized information, Walker describes opening a communication channel between parties that does not require the identities of the parties to be revealed.

II. Initial Matter

Applicants note that the Examiner has not addressed dependent claims 16-18 and 35-38 in the non-final Office Action mailed on April 5, 2004. Applicants respectfully request that any rejection or allowance of these claims be presented to allow Applicants the opportunity to appropriately respond to the status of these claims.

III. The Examiner's Rejection

A. Rejection Under 35 U.S.C. §102(b)

All pending claims stand rejected under §102(b) as being anticipated by Walker. Applicants respectfully traverse this ground for rejection as follows.

1. The reference fails to teach or suggest *wherein the information levels are transmitted at a rate controlled by an interest level of either the first user or the second user*

Applicants respectfully assert that Walker fails to teach or suggest embodiments as recited in amended independent claims 1 and 20. In particular, Walker fails to teach or suggest a method, device, code or system that includes progressively transmitting information *wherein the information levels are transmitted at a rate controlled by an interest level of either the first user or the second user*.

Walker simply does not describe transmitting information at any rate. Instead, Walker describes either releasing or not releasing pieces of information. Nowhere does Walker describe releasing the information at a "rate". In other words, the release of information in Walker is not time-sensitive (*e.g.*, released at a "rate" over time). Instead, the information in Walker is either released or not released based solely upon receiving authorization for the release - no measure of timing is involved.

Further, the information in Walker is not transmitted based on an interest level of either party (*e.g.*, either the provider or the receiver). Walker describes releasing the information based solely upon the authorization of the providing party. The interest of the receiving party is not determinative, in Walker, as to whether the information is released or not. In contrast, some currently claimed embodiments describe transmitting the information at a rate (*e.g.*, the series of

Patent

information may be automatically released at a rate of one piece or level of information every five seconds) during periods in which interest is identified for both parties - including the receiving party.

Accordingly, Applicants respectfully assert that Walker fails to anticipate (or render obvious) embodiments as recited in amended independent claims 1 and 20, at least because Walker fails to teach or suggest progressively transmitting information *wherein the information levels are transmitted at a rate controlled by an interest level of either the first user or the second user*.

Applicants therefore respectfully request that the §102(b) rejection of amended independent claims 1 and 20 be withdrawn.

Dependent claims 2-19, 21-38, 49-51, and 53-55 are believed patentable at least as depending from patentable base claims (claims 1 and 20), and for reasons similar to those presented in conjunction with amended independent claims 1 and 20 herein. Accordingly, Applicant respectfully requests withdrawal of the outstanding §102(b) rejection of dependent claims 2-19, 21-38, 49-51, and 53-55.

Further, the pending claims recite many other features not taught by the cited reference. For example, Walker fails to teach or suggest (1) receiving from the first user a plurality of levels of decision criteria (claims 16 and 35), (2) transmitting to the second user a first level of information from the plurality of information levels in the sequence (claims 17 and 36), (3) receiving from the second user a first response and applying a first level of decision criteria thereto corresponding to the first level of information (claims 17 and 36), (4) sending the second user a second level of information from the plurality of information levels if the first response satisfies the first level of decision criteria or performing an alternate step if the first response does not satisfy the first level of decision criteria (claims 17 and 36), (5) sending a reply to the second user that the first response does not satisfy the first decision criteria (claims 18 and 37), or (6) terminating the information disclosure when either user fails to respond after a specified lapse of time (claims 19 and 38).

At least for these reasons, Applicants respectfully request that all pending claims be allowed.

Patent

IV. Conclusion

Accordingly, Applicants respectfully assert that each of the pending claims is patentable over the cited reference. Applicants therefore respectfully request that all pending claims be allowed. Applicants' silence with respect to other comments made in the Office Action does not imply agreement with those comments. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at 203-972-4982.

Respectfully submitted,

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Date



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